THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5796 of 2007

Dated: 09-04-2007

Between:

P. Kodandarama Naidu and others.

..... PETITIONERS

AND

The Revenue Divisional Officer, Chittoor, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5796 of 2007

ORDER:

The two petitioners allege that they purchased land admeasuring Acs.2.11 in survey No.102/5 and Acs.2.50 in survey No.115/1A, respectively, situated at Kailaspuram Village, Parameswara Mangalam Post, Puttur Mandal, Chittor Mandal, from one D. Prakasam and his sons under a registered sale deed dated 23.06.2006. They then approached second respondent on 26.12.2006 seeking issuance of pattadar passbooks (PPBs) and title deeds. Alleging that the same has not been taken up for enquiry, present writ petition is filed.

After getting instructions, learned Assistant Government Pleader for Revenue submits that third respondent filed application claiming PPB for the same land and second respondent already issued PPB in his (third respondent) favour. He also submits that the petitioners have already filed an application/appeal before first respondent which is pending. Learned counsel for the petitioners submits that the petitioners and third respondent purchased the land in the same survey number from the same vendors and therefore, third respondent is not entitled for PPB in respect of entire land. Nothing prevents the petitioners to raise the same ground before first respondent and seek modification of the orders of second respondent as well as PPBs to the extent allegedly purchased by them. In this writ petition such questions cannot be decided.

This writ petition, with the above observations, is accordingly disposed of giving liberty to the petitioners to pursue their appeal before first respondent. No costs.

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(**V.V.S.RAO, J**)

09th April, 2007

ghn